

Amendment No. 8 to SB3424

**Trail
Signature of Sponsor**

AMEND Senate Bill No. 3424*

House Bill No. 3531

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting Sections 14, 15, 16 and 18 in their entirety.

AND FURTHER AMEND by deleting subsection (b) of Section 20, by redesignating the subsequent sections accordingly, and by substituting instead the following:

(b) The parties to a dispute shall attend and participate in a benefit review conference that addresses all issues related to a final resolution of the matter.

No final hearing in a claim for workers compensation under the provisions of this chapter may occur unless the parties shall have exhausted the benefit review conference process. Notwithstanding the provisions of this subsection, if the parties have mutually agreed to a compromise and settlement of a claim for workers compensation, the parties shall not be required to exhaust the benefit review conference process before submitting the compromise and settlement to the appropriate court for approval pursuant to Tennessee Code Annotated, Section 50-6-206(a) or to the commissioner of labor and work force development or his designee pursuant to Section 50-6-206(c). If the settlement is not approved, the parties shall then exhaust the benefit review conference process.

(c) Exhaustion of the benefit review conference process shall include, but not be limited to, an agreement by the parties and the benefit review specialist that further proceedings under Tennessee Code Annotated, Section 50-6-236 through Section 50-6-240 will not lead to a resolution of the claim.

AND FURTHER AMEND by adding the following new subdivision (E) to the amendatory language in Section 3:

(E) Nothing in the section shall be construed to prohibit the parties from compromising and settling at anytime the issue of future medical benefits when the provisions of Section 50-6-206(b) are applicable.

AND FURTHER AMEND by deleting the words “clear and convincing evidence” in the last sentence of (d)(5) in Section 24 and substituting instead the words “a preponderance of the evidence”.